

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

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**OCT 25 1995**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

In the Matter of )

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IB Docket No. 95-117

Streamlining the Commission's )

)

Rules and Regulations for Satellite )

)

Application and Licensing Procedures )

)

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**REPLY COMMENTS OF HUGHES NETWORK SYSTEMS, INC.**

The Commission's proposals to streamline its satellite application and licensing rules received an enthusiastic reception from industry representatives commenting in the initial round. Hughes Network Systems, Inc. ("HNS"), in its initial comments, supported the Commission's proposals to eliminate requests for redundant and/or unnecessary information from licensees of very small aperture terminals ("VSATs"). HNS also asked the Commission to treat wideband digital carriers on an individualized basis, rather than placing a blanket 6.0 dBW/4.0 kHz EIRP density limit on these carriers. Nearly every commenter agreed with HNS.

**A. Annual VSAT Reports Should Be Eliminated**

All but one commenter supported the Commission's proposal to eliminate the requirement that VSAT licensees submit annual reports specifying the number of VSATs actually constructed in the past year. *See Streamlining of the Commission's Rules and Regulations for Satellite Application and Licensing Procedures, Notice of Proposed Rulemaking, IB Docket No. 95-117, FCC 95-285, released August 11, 1995 ("Notice"), at ¶ 20; see also Comments of EDS Corporation at 3; Comments of AT&T Corp. at 7.*

Despite the consensus among commenting VSAT licensees that this annual reporting requirement should be eliminated, MCI Telecommunications Corporation ("MCI")

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has asked the Commission to retain the requirement because "a detailed understanding of current VSAT satellite networks is essential." Comments of MCI at 6. As the Commission has already acknowledged that such information is not essential to its regulatory functions, Notice at ¶ 20, MCI's comments must mean that this information is essential for its own competitive purposes. MCI's desire to obtain confidential business information that would not be available in an unregulated marketplace cannot support the retention of a reporting requirement that is universally acknowledged as unnecessary and burdensome. The Commission should adopt its proposal to eliminate the annual VSAT reporting requirement.

**B. No Blanket Power Limit Should be Adopted for Wideband Digital Carriers**

The Commission currently has no policies or procedures for the routine licensing of wideband digital carriers. Notice at ¶ 25. The Commission has proposed to extend the power density limits for VSATs, currently set at 6.0 dBW/4.0 kHz EIRP, to these digital carriers. *Id.*

The commenting VSAT licensees uniformly oppose this proposal, and urge the Commission to allow the industry to resolve any interference problems on a case-by-case basis. *See* Comments of EDS at 5; Comments of Keystone Communications Corporation at 6-7; Comments of HNS at 7-8. The record indicates that interference may not be a problem, and, if it does occur, can be resolved through point-by-point coordination. *Id.* The Commission should therefore forbear at this time from adopting any power density limits for wideband digital carriers.

### **C. Other Issues**

EDS proposed that the Commission eliminate Condition 2810, which requires the filing of VSAT frequency plans with the Commission. Comments of EDS at 4. HNS supports this proposal, and agrees with EDS that it would eliminate an unnecessary burden.

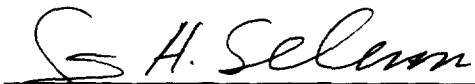
The Commission has proposed to designate modifications to VSAT systems as minor or major, with major modifications (those that increase the potential for interference) requiring prior authorization, and minor modifications requiring only notification within 30 days of the change. Notice at ¶ 23; Proposed Rules 25.117 and 25.118. In its initial comments, HNS asked the Commission to clarify parts of its proposed rules in this area. Comments of HNS at 5-7. HNS believes that, in order to reduce the burden on VSAT licensees further, the Commission should adopt the proposal of Orbital Sciences Corporation to allow VSAT licensees to record minor modifications -- those that do not increase the potential for interference -- in the technical log rather than file a notification with the Commission. *See* Comments of Orbital Sciences Corp. at 5-6. The information would therefore be available to the Commission upon request.

**D. Conclusion**

HNS supports the Commission's willingness to reduce the regulatory burdens on the satellite industry, including VSAT licensees. With the changes suggested by HNS and other industry commenters, the Commission's proposals will achieve this result.

Respectfully submitted,

HUGHES NETWORK SYSTEMS, INC.

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October 25, 1995

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## CERTIFICATE OF SERVICE

I certify that I have this 25th day of October, 1995 caused to be delivered by hand the foregoing Reply Comments of Hughes Network Systems, Inc. to the following:

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